

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**CRIMINAL ACTION NO.: 3:20-CR-42
(GROH)**

TIMOTHY JOHN WATSON,

Defendant.

**ORDER DENYING DEFENDANT'S MOTION TO
ADVANCE SENTENCING HEARING**


On July 16, 2021, Defendant Timothy John Watson filed a Motion to Advance Sentencing Hearing. ECF No. 60. Therein, the Defendant, having been in custody since November 3, 2020, requests that the Court move his sentencing hearing that is currently scheduled for October 13, 2021, to an earlier date in September 2021. The Government does not oppose the motion.

In support of his motion, the Defendant avers that this Court set his sentencing hearing for the current date to allow adequate time for the COVID-19 pandemic to subside. The Defendant states that now that he and his counsel have received their COVID-19 vaccinations, advancing his sentencing date would not pose a risk to the health and safety of the public, the parties, or the Court. Additionally, the Defendant avers that there is no impediment in advancing the sentencing date because he has retained an expert to assess the evidence and assist counsel, and his psychological evaluation and report for presenting mitigating factors at his sentencing has been completed.

Upon review and consideration of the motion, the Court finds no good cause to grant the Defendant's request. The Court notes that the Sentencing Guidelines recommends a sentence within the range of 18 to 24 months for the Defendant, and the Government plans to recommend a sentence within the range of 57 to 71 months, as stated in the Defendant's plea agreement. Moreover, the Court does not have an earlier sentencing date than the Defendant's current date available and is currently setting its sentencing hearings in January 2022. Accordingly, the Court hereby **DENIES** the Defendant's Motion. ECF No. 60.

The Clerk of Court is **DIRECTED** to transmit copies of this Order to all counsel of record herein.

DATED: July 20, 2021


GINA M. GROH
CHIEF UNITED STATES DISTRICT JUDGE